

United States Senate

September 14, 2022

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator Regan:

We write you in response to a recent letter sent by Senate Democrats requesting you exclude methane biogas projects operated by Concentrated Animal Feeding Operations (CAFOs) from being eligible to qualify as an eligible feedstock to generate electric renewable identification numbers (e-RINs) under the Renewable Fuel Standard (RFS). The allegations brought forth as the basis for their request are abjectly deceitful and the insinuation that these facilities operate with such wanton disregard for the public health is abhorrent.

CAFOs play a vital role in our nation's ability to be food independent and have continually improved their efficiency to produce more with less, inherently making them more sustainable. Through technological innovations, unique opportunities have been created for them to utilize animal waste for energy and electricity production through anaerobic digestion. In 2021, CAFO anaerobic digestion systems reduced carbon emissions by 6.09 million metric tons of carbon dioxide equivalent¹ and generated 1.76 million megawatt-hours of electricity.² All accomplished by little more than 300 facilities.

In fact, 52 of these installations currently provide renewable fuel and electricity to the states of the respective Senators condemning their existence.³ It is evident that this practice is a viable tool to create economic opportunity, embolden our energy security, and improve the overall environmental sustainability of our agriculture industry. If the alleged adverse environmental impacts of these operations is the true concern, why would we limit their ability to enhance their management practices? In a time where input prices are strangling agriculture operations and energy costs are deteriorating families' financial standing, why would we attempt to limit opportunities that could help solve both of these problems? Why would we villainize those who are actively working to feed our nation while actively impeding their initiatives to address the very issues raised?

¹ Recent AgSTAR Accomplishments, About AgSTAR, <https://www.epa.gov/agstar/agstar-accomplishments>

² AgSTAR Data and Trends: U.S. Highlights, AgSTAR Projects & Opportunities, <https://www.epa.gov/agstar/agstar-data-and-trends#biogasfacts>

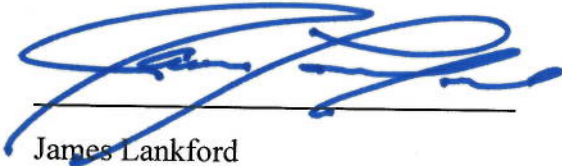
³ Livestock Anaerobic Digester Database, AgSTAR, <https://www.epa.gov/agstar/livestock-anaerobic-digester-database>

With all of this in mind we ask that you disregard the misguided, alarmist allegations made by our Democratic colleagues on this issue and would like to request information regarding:

- The EPA's efforts to collaborate with stakeholders and other relevant agencies to expand opportunities in this sector;
- If the Agency has conducted an analysis on the benefits of increasing the number of CAFO facilities utilizing anaerobic digestion as a means of waste management and energy production; and
- The Agency's educational outreach to stakeholders and the public on proper practices in the industry to improve sustainability and dispel misinformation.

We appreciate your efforts in this area and look forward to your response.

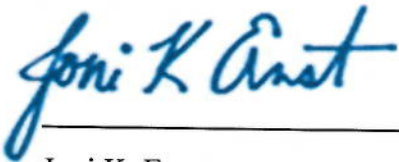
Sincerely,



James Lankford
United States Senator



Roger Marshall, M.D.
United States Senator



Joni K. Ernst
United States Senator



John Boozman
United States Senator